

Kansas Register

Bill Graves, Secretary of State

Vol. 10, No. 7

February 14, 1991

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Kansas Technology Enterprise Corporation

Notice of Meeting

The Board of Directors of the Kansas Technology Enterprise Corporation will meet at 11 a.m. Wednesday, February 27, in Suite 400, 112 W. 6th, Topeka. For further information, call (913) 296-5131.

William Brundage President

Doc. No. 010222

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 46,500 cubic yard detention dam, Site 104 in Marion County, will be received by the Doyle Creek Watershed Joint District No. 86 at the USDA, Soil Conservation Service Center meeting room, 1800 W. 4th, Newton 67114, until 2 p.m. February 28 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the USDA, Soil Conservation Service Office, (316) 283-3760.

Kenneth F. Kern Executive Director

Doc. No. 010218

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of the Wellington Multipurpose Reservoir in Sumner County will be received by the city of Wellington at the City Administration Center, 317 S. Washington, Wellington 67152, (316) 326-3871, until 1:30 p.m. March 6 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from and reviewed at Wilson & Company, 3059 W. 13th, Wichita 67203, (316) 946-9800.

Kenneth F. Kern Executive Director

Doc. No. 010224

State of Kansas

Wichita State University

Notice to Bidders

Sealed bids for the following will be received by The Wichita State University, Office of Purchasing, 1845 N. Fairmount, Campus Box 12, Morrison Hall, Room 021, Wichita 67208-1595, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (316) 689-3080 for additional information.

Monday, February 25, 1990 910305-B Chilled water coils

Gary D. Link Director of Purchasing

Doc. No. 010232

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Topeka, KS 66612-1594
(913) 296-2236



Register Office: 235-N, State Capitol (913) 296-3489

University of Kansas

Notice to Bidders

Sealed bids for items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 for additional information.

Wednesday, February 27, 1991 RFQ 91 0756

UV/VIS diode-array spectrophotometer, hardware and software

Gene Puckett, L.C.P.M. Director of Purchasing

Doc. No. 010229

State of Kansas

Attorney General

Opinion No. 91-8

State Boards, Commissions and Authorities—State Lottery—Kansas Lottery Act; Kansas Lottery Commission, Powers. Gerald F. Simpson, Executive Director, Kansas Lottery, January 31, 1991.

The Kansas lottery act does not authorize the commission to enter into an agreement to form or participate in a corporation which controls the lottery games through rules and regulations promulgated by the corporation's board of directors. Cited herein: K.S.A. 1990 Supp. 74-8709(g). MWS

Opinion No. 91-9

Counties and County Officers—Public Improvements; Improvement and Service Districts—Improvement Districts; Powers; Commodity Program Facility; Public Park. David L. Hiebert, Counsel for Oaklawn Improvement District, Wichita, February 4, 1991.

Improvement districts created pursuant to K.S.A. 19-2753 et seq. have been authorized by K.S.A. 19-2765(a)(4) to "... plan and construct or purchase public works and improvements for public health, recreation, convenience or welfare within the limits of the improvement district . . ." and thus, may take such actions if the governing body determines that such a necessity exists. Construction and maintenance of a public commodity program distribution facility or a public recreation area may meet the definition of a public work or improvement in certain situations, and improvement district funds may be expended for such purposes if the levy utilized to obtain such funds does not otherwise limit or prohibit expenditures for such purposes. Cited herein: K.S.A. 19-2752a; 19-2753; 19-2765. TMN

> Robert T. Stephan Attorney General

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), as amended by 1990 Senate Bill No. 554, records of the Division of Accounts and Reports show the unobligated balance in the petroleum storage tank release trust fund is \$5,446,834.94 as of January 31, 1991.

Arthur H. Griggs Acting Secretary of Administration

Doc. No. 010216

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officers are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office.

The following appointments were filed January 26-February 7:

State Corporation Commission

Arthur J. Robinson, 6504 E. 9th, Wichita 67206. Subject to Senate confirmation. Term expires March 19, 1994. Succeeds Jack Shriver.

Education Commission of the States

Shirley Palmer, Route 5, Box 118, Fort Scott 66701. Appointed by the executive director of the State Board of Regents. Succeeds Norman W. Jeter.

Employment Security Board of Review

Garold Good, Route 1, Box 53, Carbondale 66414. Subject to Senate confirmation. Term expires January 28, 1995. Succeeds Ralph McGee.

Superintendent of Kansas Highway Patrol

Bert Cantwell, 1219 S. 105th, Edwardsville 66111. Subject to Senate confirmation. Serves at the pleasure of the Governor. Succeeds Elam P. Moomau.

Kansas Public Employees Retirement System Board of Trustees

Walter L. Cobler, 5025 Wanamaker Road, Topeka, 66610. Subject to Senate confirmation. Term expires April 30, 1993. Succeeds B. B. Anderson.

State Board of Regents

Robert Caldwell, 415 E. Crawford, P.O. Box 376, Salina, 67401. Subject to Senate confirmation. Term expires December 14, 1994. Succeeds Norman W. Jeter.

Bill Graves Secretary of State

Kansas Insurance Department

Notice of Hearing

A formal hearing will be conducted at 10:30 a.m. Thursday, February 28, in the offices of the Kansas Commissioner of Insurance, 420 S.W. 9th, Topeka, to determine whether the application for the proposed acquisition of control of Town & Country Fire & Casualty Insurance Company, Inc., Hutchinson, by Benchmark Holdings, Inc., Atlanta, Georgia, should be approved by the Commissioner of Insurance in accordance with the provisions of K.S.A. 40-3301, et seq.

All interested parties may attend and will be given the opportunity to hear the details of the proposed acquisition, to present either oral or written testimony in favor of or in opposition to the transaction, and to ask any questions relative to the acquisition.

> Ron Todd Commissioner of Insurance

Doc. No. 010235

State of Kansas

Department of Health and Environment

Public Notice

The Kansas Department of Health and Environment will entertain proposals for a leased facility to house its Hays district office. The program statement outlining the functional needs for the facility will be distributed through the KDHE Office of General Services, Suite 524, 109 W. 9th, Topeka 66612-1228. Interested proposers are invited to make initial contact and receive a copy of the program statement by 5 p.m. Friday, March 1. Questions related to the acquiring of the program statement may be directed to Alfred G. Gutierrez, Director of Support Services, at (913) 296-1530.

Stanley C. Grant Acting Secretary of Health and Environment

Doc. No. 010237

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested in the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and

the EPA, and when issued will result in the state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address
of Applicant
City of Colwich
P.O. Box 158
Colwich, 67030
Sedgwick County, Kansas

Type of
Discharge
Secondary
wastewater
treatment facility

Kansas Permit No. M-AR24-0001 Fed. Permit No. KS-0049719
 Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Name and Address
of Applicant
City of Paola
c/o City Clerk
P.O. Box 409
Paola, KS 66071
Miami County, Kansas

Type of
Discharge
Secondary
wastewater
treatment facility

Kansas Permit No. M-MC33-0001 Fed. Permit No. K\$-0046612

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are water quality limited.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to March 15 will be considered in the formulation of final determiniations regarding this public notice. Please refer to the appropriate application number (KS-91-27/28) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Stanley C. Grant Acting Secretary of Health and Environment

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for the purchase of the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.S.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, February 25, 1991

26816

Department of Revenue—Uniform components 27233

Kansas Correctional Industries—Methyl carbitol, various glycols and phosphate
28398

Department of Corrections—Drugs of abuse testing 86904

Department of Wildlife and Parks—Aggregate, Cheney State Park

86906

University of Kansas Medical Center—Endoscopic equipment

86909

University of Kansas Medical Center—Urological testing equipment

86964

Kansas State University—Lab centrifuge

Tuesday, February 26, 1991

A-6212 (Rev.)

Winfield State Hospital and Training Center— Replace storage water heater

A-6436

Osawatomie State Hospital—Electrical projects, various locations

A-6541

School for the Deaf—Night cutback energy conservation measures, various buildings 27226

Kansas Correctional Industries—Lead-free paint pigment

27474

University of Kansas Medical Center—April (1991) meat products

27478

Kansas Correctional Industries—Amorphous silica and calcium carbonate

27524

University of Kansas—April (1991) meat products 27815

Winfield State Hospital and Training Center— Dishwashing supplies

Wednesday, February 27, 1991

27516

Statewide—April (1991) meat products

27518

Statewide—Canned goods

86920

Kansas State University—Steam valves and components

86932

University of Kansas—Spectrophotometer

86933

University of Kansas—Software

86934

Emporia State University—MIS, UPS, installation and relocation of computer equipment

86935

Kansas Highway Patrol—Aircraft engine

Thursday, February 28, 1991

86945

Department of Transportation—Carpet and quarry tile

6946

Kansas Highway Patrol—Ammo

Friday, March 1, 1991

28219

Department of Transportation—Photolog photographic film

28309

Statewide—Extenders and commodity based products

86957

Department of Corrections—Miscellaneous hospital equipment, Lansing

86965

Kansas State University—Plant growth chamber 86967

Kansas State University—Plain paper photocopier 86968

Kansas State University—Fuel oil

86969

Lansing Correctional Facility—Dental equipment

Monday, March 4, 1991

86663

Emporia State University—Move press equipment

Tuesday, March 5, 1991

86958

Parsons State Hospital—Washer-extractor

Wednesday, March 6, 1991

86966

Kansas State University—Electric motors

Thursday, March 14, 1991

27542

Statewide—Room air conditioners

Request for Proposals

Monday, February 25, 1991

28391

Medical waste disposal services for the University of Kansas Medical Center

Thursday, February 28, 1991

87010

Needs analysis for the Kansas College of Technology

Nicholas B. Roach Director of Purchases

Private Industry Council

Request for Proposals

The Kansas Private Industry Council (PIC) for the Job Training Partnership Act (JTPA) in Service Delivery Area III seeks solicitation of comprehensive proposals to contract with any group, agency or institution, public or private, to provide the various services and training needed to serve eligible participants in Johnson, Wyandotte and Leavenworth counties in the PIC's Title IIA Employment and Training Programs. The PIC's Title IIA Adult and Youth Employment and Training Programs shall provide eligible participants within the SDA with useful work experience and employment and training opportunities.

All services and training for the Title IIA Program are for the funding period July 1, 1990, through June 30, 1991, contingent upon availability of funds.

Agencies wishing to submit a proposal may request a request for proposals packet from the Kansas Private Industry Council, SDA III, 717 Gateway Centre Tower II, 4th and State Ave., Kansas City, KS 66101, (913) 371-1607. The deadline for submission of proposals is 3 p.m. February 19.

Ann Conway Executive Director

Doc. No. 010223

State of Kansas

Kansas Public Disclosure Commission

Advisory Opinion No. 91-1

Written January 16, 1991, to Thomas H. Hull, State Director, Kansas Small Business Development Centers, Wichita State University.

This opinion considers issues not addressed in Opinion No. 90-27. Here, we will take up the question of what law, if any, applies to Kansas Small Business Development Center agents who are not with Board of Regents' institutions. We understand there to be three types of these agents: employees of community colleges, employees of Washburn University, and employees of private colleges.

We first note that none of these employees are covered by K.S.A. 46-215 et seq. since they do not meet the definition of a "state officer or employee" con-

tained in K.S.A. 46-221.

Thus, we turn to the applicability of the local level conflicts law set out in K.S.A. 75-4301 *et seq.* as amended by the 1990 Session Laws of Kansas, Chapter 306, Sections 14-19.

Under Section 14(f) of the Session Laws, the community colleges constitute "governmental subdivisions" since they are subdivisions of the state having authority to service public funds. Thus, employees of community colleges are covered by K.S.A. 75-4301 et seq.

Under Section 14(c) & (d), employees of Washburn University are included within the local conflicts act since Washburn is an agency of the city of Topeka.

We find no basis to include employees of private institutions within the local act and therefore none of the state's conflict of interests laws under our jurisdiction apply to such persons.

Turning then to your specific questions, the local law in K.S.A. 75-4304 also prohibits local officials from participating in the making of contracts with their own

private businesses.

The local law does not, however, deal with the last three situations you raise, except that under appropriate circumstances a local official may be required to file a disclosure statement if he or she is going to take official action which might affect a private interest.

If you have any additional questions, don't hesi-

tate to let us know.

Advisory Opinion No. 91-2

Written January 16, 1991, to all interested persons:

Effective July 1, 1989, the Campaign Finance Act applies to candidates for elected county and first class city office. The Campaign Finance Act requires a report on January 10, 1991, for the preceding calendar year.

The question we wish to address is whether first class city or county elected officials who have not announced or otherwise become a candidate since July 1, 1989, are required to file the January 10, 1991, report.

It is our opinion that only "candidates" are required to file the report. Thus, those elected county or city officials who have not sought office since July 1, 1989, need not file the January 10, 1991, Receipts and Expenditures Report.

Advisory Opinion No. 91-3

Written January 16, 1991, to Claire K. McCurdy, Topeka.

This opinion is in response to your letter of January 7, 1991, in which you request an opinion from the Kansas Public Disclosure Commission concerning the conflict of interest law (K.S.A. 46-215 et seq.)

We understand you request this opinion in your capacity as an employee of the Kansas Department of

Transportation.

You advise us that you are slated to become president of the board of directors of Sheltered Living, Inc. later this month at that organization's annual meeting. At the same time, you are employed as an attorney for the Kansas Department of Transportation. In looking through some papers and reviewing Sheltered Living's budget for the coming year, you realized that Sheltered Living periodically receives vans purchased from KDOT for use in its programs. For example, in 1990 Sheltered Living received 1.8 percent of its funding from KDOT in the form of two vehicles.

You also state that you are in no way involved in the decision making process within KDOT regarding which organizations receive vehicles. In fact, you do not even know who is involved. Moreover, Sheltered Living has been receiving such grants from KDOT long before you began serving on the organization's board of directors, and even longer before you began your

employment with KDOT.

You ask whether it is permissible for you to be pres-

ident of the board of Sheltered Living, Inc. during your service as a state officer or employee.

Two sections of the act relate to your question—K.S.A. 46-233 and 46-286. Very simply put, so long as you do not participate in your capacity as a state officer or employee in the making of contracts with Sheltered Living, Inc., or in licensing, regulating or inspecting the entity, the situation you have described is permissible.

Advisory Opinion No. 91-4

Written January 16, 1991, to Elizabeth Baker, State Representative, Derby.

This opinion is in response to your letter of December 4, 1990, in which you request an opinion from the Kansas Public Disclosure Commission concerning the conflict of interest law (K.S.A. 46-215 et seq.).

We understand you request this opinion in your capacity as a state representative. You advise us that you have recently been appointed to the Wichita State University Board of Trustees and that each board member is provided season tickets for Shocker basketball games.

You ask whether you may serve on the board while you are a state legislator and whether you may accept the tickets.

We have reviewed K.S.A. 46-215 et seq. in its entirety and find no prohibitions restricting a legislator from also serving on the board. The ticket issue is a closer question.

K.S.A. 46-237(a) states:

"No state officer or employee or candidate for state office shall accept, or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$100 or more in any calendar year from any one person known to have a special interest, under circumstances where such person knows or should know that a major purpose of the donor is to influence such person in the performance of their official duties or prospective official duties."

In this case, since all members of the Board of Trustees receive the tickets, we cannot assume they are being given to you to influence the performance of your official duties as a legislator. Thus, we cannot hold that the receipt of tickets under these special circumstances would violate K.S.A. 46-215 et seq.

We also note that your position as a member of the Wichita State University Board of Trustees is specifically exempted from the definition of state officer or employee since you do not receive compensation for serving in that position (see K.S.A. 46-221(a)(4)). Thus, K.S.A. 46-215 et seq. does not apply to the receipt of tickets in your capacity on the Board of Trustees.

Lowell K. Abeldt Chairman

Doc. No. 010238

State of Kansas

Legislature

Legislative Bills Introduced

The following numbers and titles of bills and resolutions have been recently introduced by the 1991 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, Topeka 66612, (913) 296-4096.

Bills Introduced January 31-February 6:

House Bills

HB 2085, by Representative O'Neal: An act relating to schools; concerning the participation of students in extracurricular activities.

HB 2086, by Committee on Appropriations: An act making and concerning appropriations for the fiscal year ending June 30, 1992, for Fort Hays state university, Kansas state university, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center, Wichita state university, state board of regents and Kansas state university — Salina, college of technology; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

HB 2087, by Committee on Labor and Industry: An act concerning workers compensation; relating to certain definitions; amending K.S.A. 1990 Supp. 44-508 and repealing the existing section.

HB 2088, by Committee on Energy and Natural Resources: An act concerning radioactive materials; relating to storage, treatment, recycling and disposal thereof.

HB 2089, by Representative Patrick: An act concerning social welfare; establishing a program of special financial assistance grants to certain public assistance recipients who implant certain long-lasting contraceptives; prescribing powers, duties and functions for the secretary of social and rehabilitation services.

HB 2090, by Representatives Everhart, Gomez, Hensley, Mc-Kechnie, Wagnon and Whitemann: An act relating to school transportation vehicles; requiring passenger safety restraining systems.

portation vehicles; requiring passenger safety restraining systems. HB 2091, by Representatives King and Shallenburger: An act amending and supplementing the Kansas consumer protection act; providing for the regulation of health spas; establishing certain requirements and prohibitions; prescribing certain penalties; amending K.S.A. 50-624 and repealing the existing section.

HB 2092, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to participating service; amending K.S.A. 1990 Supp. 74-4915 and repealing the existing section.

HB 2093, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to postretirement benefit increase.

HB 2094, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to lump-sum death benefit; amending K.S.A. 1990 Supp. 74-4989 and repealing the existing section.

HB 2095, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to postretirement benefit adjustment.

HB 2096, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to normal retirement date; amending K.S.A. 1990 Supp. 74-4914 and 74-4937 and repealing the existing sections.

HB 2097, by Representatives Wisdom, Dillon, Edlund, Johnson, Jones, Love, Ramirez, Reardon and Watson: An act concerning solid waste; relating to location of certain processing facilities and disposal areas; amending K.S.A. 65-3407 and repealing the existing section.

HB 2098, by Committee on Judiciary: An act concerning civil procedure; relating to redemption of real property; amending K.S.A. 60-2414 and repealing the existing section.

HB 2099, by Committee on Judiciary: An act concerning civil procedure; relating to garnishment; amending K.S.A. 1990 Supp. 60-718 and repealing the existing section; also amending Form No. 8a

in the appendix of forms following K.S.A. 1990 Supp. 61-2605 and repealing the existing form.

HB 2100, by Committee on Judiciary: An act concerning adoption; relating to the proceedings to terminate parental rights; amending K.S.A. 1990 Supp. 59-2136 and repealing the existing section.

HB 2101, by Committee on Judiciary: An act concerning children in need of care; relating to notification of grandparents; amending K.S.A. 38-1562 and K.S.A. 1990 Supp. 38-1584 and 59-2129 and repealing the existing sections.

HB 2102, by Committee on Judiciary: An act concerning child support; extending such support through high school; amending K.S.A. 1990 Supp. 38-1121 and 60-1610 and repealing the existing sections

HB 2103, by Committee on Pensions, Investments and Benefits: An act concerning the Kansas public employees retirement system; relating to postretirement benefit increase.

HB 2104, by Committee on Public Health and Welfare: An act providing for licensure of speech-language pathologists and audiologists; establishing a speech-language pathology and audiology commission and prescribing the powers and duties thereof; prohibiting certain acts and prescribing penalties for violations thereof.

HB 2105, by Committee on Public Health and Welfare: An act concerning controlled substances; relating to forfeiture of property and moneys; concerning the expenditure of such property and moneys by the counties; amending K.S.A. 1990 Supp. 65-4173 and repealing the existing section.

HB 2106, by Representatives Bowden and Dean: An act relating to motor vehicles; concerning lamps and lights on authorized emergency vehicles; amending K.S.A. 1990 Supp. 8-1720 and repealing the existing section.

HB 2107, by Committee on Education: An act concerning school districts; relating to building-based education plans; amending K.S.A. 1990 Supp. 72-9804 and 72-9805, and repealing the existing sections.

HB 2108, by Representatives Everhart, Gomez, Hensley and Roy: An act concerning the Kansas turnpike authority; prohibiting the charging and collecting of tolls on certain portions of the turnpike; amending K.S.A. 68-2004 and 68-2009 and repealing the existing sections.

HB 2109, by Committee on Local Government: An act concerning county law libraries; amending K.S.A. 1990 Supp. 20-3129 and repealing the existing section.

HB 2110, by Committee on Local Government: An act concerning cities; relating to the payment of costs of public improvements; amending K.S.A. 13-10,135, 13-10,136 and 13-10,138 and repealing the existing sections.

HB 2111, by Committee on Taxation: An act concerning taxation; amending dates on which certain taxes are required to be remitted to the state; requiring financial institutions subject to the privilege tax to make estimated tax payments; amending K.S.A. 79-3298, 79-4103 and 79-4220 and K.S.A. 1990 Supp. 79-41a03 and repealing the existing sections.

HB 2112, by Committee on Taxation: An act relating to sales taxes; creating a refund for sales taxes paid upon utilities for certain qualified applicants; amending K.S.A. 79-3632 and 79-3635 and repealing the existing sections.

HB 2113, by Committee on Taxation: An act relating to sales and compensating use taxation; eliminating certain exemptions therefrom; imposing the tax upon certain services; amending K.S.A. 79-3602, 79-3603, 79-3606, 79-3703, 79-3704, 79-3705, 79-3705a, 79-3705c, 79-3705d and 79-3706 and K.S.A. 1990 Supp. 79-3702 and repealing the existing sections; also repealing K.S.A. 12-189a.

HB 2114, by Committee on Appropriations: An act making and concerning appropriations for the fiscal years ending June 30, 1991, June 30, 1992, and June 30, 1993, for certain capital improvement projects for the adjutant general, attorney general — Kansas bureau of investigation, department of administration, Emporia state university, university of Kansas, Wichita state university, Kansas commission on veterans affairs and youth center at Beloit; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing; amending section 15 of chapter 21 of the 1990 Session Laws of Kansas and repealing the existing section.

HB 2115, by Committee on Education: An act concerning professional negotiation between boards of education and professional employees; affecting the definition of terms and conditions of profes-

sional service; amending K.S.A. 1990 Supp. 72-5413 and repealing the existing section.

HB 2116, by Representative Campbell: An act relating to insurance; requiring refunds upon cancellation of term life insurance contracts.

HB 2117, by Representative Hendrix: An act concerning crimes and punishments; relating to the definition of probation and to conditions of probation or suspended sentence; amending K.S.A. 21-4610 and K.S.A. 1990 Supp. 21-4602 and repealing the existing sections.

HB 2118, by Representative Wisdom: An act concerning bonds; requiring an election prior to issuance of certain general obligation, general improvement or special obligation bonds.

HB 2119, by Committee on Local Government: An act concerning vacancies in the office of mayor in cities of the third class; amending K.S.A. 1990 Supp. 15-311 and repealing the existing section.

HB 2120, by Committee on Education: An act concerning teachers; relating to opinions of the hearing committee at the conclusion of hearings provided upon notice of nonrenewal or termination of contracts of employment; amending K.S.A. 72-5443 and repealing the existing section.

HB 2121, by Representative Love: An act relating to governmental ethics; concerning gifts to state officers and employees and candidates for state office; amending K.S.A. 1990 Supp. 46-237 and repealing the existing section.

HB 2122, by Representatives Rock, Carmody, Cozine, Edlund, Glasscock, Hamilton, Hochhauser, Jennison, Lloyd, Love, Macy, McKechnie, Minor, D. Smith, Thompson, Wempe and White: An act relating to income taxation; concerning extensions of time for the performance of acts by certain persons; amending K.S.A. 79-3221 and repealing the existing section.

HB 2123, by Committee on Taxation: An act authorizing the city of Wichita, Kansas, to levy excise taxes upon certain sales of food and beverages and upon the rental or lease of certain motor vehicles, and to pledge revenues received from such city's excise taxes for the payment of general obligation bonds or revenue bonds issued for the payment of all or any portion of the cost of public facilities or improvements of such city.

HB 2124, by Committee on Taxation: An act concerning cities; relating to the issuance of tax increment bonds; amending K.S.A. 1990 Supp. 12-1771 and repealing the existing section.

HB 2125, by Committee on Taxation: An act relating to property taxation; exempting certain oil properties therefrom.

HB 2126, by Committee on Insurance: An act relating to automobile liability insurance policies; concerning coverage for injury or death caused by uninsured and underinsured motorists; concerning subrogation of insurers providing payments under such coverage; concerning the award of attorney fees for failure to provide personal injury protection benefits; amending K.S.A. 40-287 and 40-3111 and K.S.A. 1990 Supp. 40-284 and repealing the existing sections.

HB 2127, by Committee on Public Health and Welfare: An act concerning the healing arts; relating to crimes for unlicensed practice of the healing arts; amending K.S.A. 65-2803 and 65-2867 and repealing the existing sections; also repealing K.S.A. 65-2868.

HB 2128, by Committee on Public Health and Welfare: An act concerning healing arts; physicians' assistants; amending K.S.A. 1990 Supp. 65-2896a and 65-2896b and repealing the existing sections.

HB 2129, by Representatives Ramirez, Brown, Vancrum and Weimer: An act concerning motorcycles and motorized bicycles; relating to equipment required for operators and riders; amending K.S.A. 8-1598 and repealing the existing section.

HB 2130, by Representative Parkinson: An act relating to drivers' licenses and instructional permits; concerning the age of the applicants thereof; amending K.S.A. 1990 Supp. 8-235, 8-237, 8-239, 8-240, 8-1344, 8-1345 and 38-1608 and K.S.A. 1989 Supp. 8-2117, as amended by section 2 of chapter 150 of the 1990 Session Laws of Kansas, and K.S.A. 1989 Supp. 38-1602, as amended by section 6 of chapter 150 of the 1990 Session Laws of Kansas, and repealing the existing sections.

HB 2131, by Committee on Education: An act concerning community colleges; relating to out-district tuition and out-district state aid; amending K.S.A. 71-204, 71-304, 71-305, 71-306, 71-401, 71-403, 71-610 and 71-701 and K.S.A. 1990 Supp. 71-201, 71-301, 71-302, 71-607, 71-609a and 71-611, and repealing the existing sections.

HB 2132, by Committee on Commercial and Financial Institutions: An act relating to banks and banking; concerning the general powers thereof; investments; amending K.S.A. 1990 Supp. 9-1101 and repealing the existing section.

HB 2133, by Committee on Commercial and Financial Institutions: An act relating to banks and banking; concerning preferred stock thereof; amending K.S.A. 1990 Supp. 9-909 and repealing the existing section.

HB 2134, by Committee on Commercial and Financial Institutions: An act relating to banks and banking; concerning branch banking; amending K.S.A. 1990 Supp. 9-1111 and repealing the existing section.

HB 2135, by Committee on Commercial and Financial Institutions: An act relating to banks and banking; concerning directors and presidents thereof; amending K.S.A. 1990 Supp. 9-1118 and repealing the existing section; also repealing K.S.A. 1990 Supp. 9-1117.

HB 2136, by Committee on Elections: An act relating to elections; concerning the disposition of fees paid by candidates filing declarations of intentions to become a candidate; amending K.S.A. 1990

Supp. 25-206 and repealing the existing section.

HB 2137, by Committee on Judiciary: An act concerning guardians or conservators; relating to the restoration of capacity to the ward or conservatee; amending K.S.A. 59-3027 and repealing the existing section.

HB 2138, by Committee on Judiciary: An act concerning insurance; relating to the automobile injury reparations act; amending the definition of motor vehicle; amending K.S.A. 1990 Supp. 40-3103 and repealing the existing section.

HB 2139, by Committee on Transportation: An act relating to flashing lights on vehicles engaged in highway construction or maintenance operations; amending K.S.A. 8-1731 and repealing the existing section.

HB 2140, by Committee on Public Health and Welfare: An act concerning physical therapy; relating to representation as a physical therapist assistant; injunctions for violations of physical therapy act; amending K.S.A. 65-2913 and repealing the existing section.

HB 2141, by Committee on Public Health and Welfare: An act concerning the healing arts; relating to reinstatement of revoked licenses and the assessment of costs in administrative proceedings; amending K.S.A. 65-2846 and K.S.A. 1990 Supp. 65-2844 and repealing the existing sections.

HB 2142, by Committee on Public Health and Welfare: An act concerning licensure to practice podiatry; amending K.S.A. 1990 Supp. 65-2003, 65-2004 and 65-2006 and repealing the existing

sections.

HB 2143, by Representative Empson: An act concerning criminal procedure; relating to mentally retarded victims; amending K.S.A. 1990 Supp. 22-3434 and repealing the existing section.

HB 2144, by Representative Empson: An act concerning the service of process; relating to fees charged for service by certified mail; amending K.S.A. 1990 Supp. 28-170, 60-303 and 61-1803 and repealing the existing sections.

HB 2145, by Committee on Insurance: An act relating to insurance; concerning education requirements for insurance brokers; amending

K.S.A. 40-3707 and repealing the existing section.

HB 2146, by Committee on Insurance: An act relating to insurance; amending and supplementing the Kansas insurance premium finance company act; amending K.S.A. 40-2604, 40-2610, 40-2611 and 40-2612 and K.S.A. 1990 Supp. 40-2603 and repealing the existing sections.

HB 2147, by Committee on Insurance: An act relating to insurance; concerning billing procedures for agent certification fees; amending K.S.A. 1990 Supp. 40-241i and repealing the existing section.

HB 2148, by Committee on Insurance: An act relating to insurance; concerning waiver of examinations for certain applicants for agents' licenses; amending K.S.A. 40-241c and repealing the existing section.

HB 2149, by Representative Love: An act creating the nonprobate transfers law of Kansas.

HB 2150, by Representative Adam: An act relating to governmental ethics; prohibiting lobbying by certain persons; amending K.S.A. 46-232 and repealing the existing section.

HB 2151, by Representative Hensley: An act relating to elections; concerning the appointment of election commissioners in certain counties; amending K.S.A. 19-3419 and repealing the existing section.

HB 2152, by Representatives Empson and Garner: An act relating to traffic violations; concerning duties of driver involved in certain accidents; violator not required to be taken into custody; amending K.S.A. 1990 Supp. 8-2104 and repealing the existing section.

HB 2153, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to notice of occupational disease and claims for compensation therefor; amending K.S.A. 44-5a17 and repealing the existing section.

HB 2154, by Committee on Labor and Industry: An act concerning the workers compensation act; removing the limitation on compensation payable by employers for permanent total disability; amending K.S.A. 1990 Supp. 44-510f and repealing the existing section.

HB 2155, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to services of a health care provider of the employee's choice; amending K.S.A. 1990 Supp. 44-

510 and repealing the existing section.

HB 2156, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to the employer's obligation in certain cases of willful, gross or wanton acts or omissions or failure to provide guards or protections; amending K.S.A. 1990 Supp. 44-501 and 44-510f and repealing the existing sections.

HB 2157, by Committee on Labor and Industry: An act concerning the workers compensation act; relating to medical, physical and vocational rehabilitation; assessment and plan by expert of employee's choice; amending K.S.A. 1990 Supp. 44-510g and repealing the

existing section.

HB 2158, by Representative Empson: An act concerning motor fuel marketing and pricing; requiring certain price disclosures relating to motor fuel; prohibiting certain acts and providing penalties and other remedies for violations; declaring certain contracts to be void.

HB 2159, by Representative Empson: An act relating to the highway patrol; concerning other employment; amending K.S.A. 74-2113 and repealing the existing section.

HB 2160, by Representatives Empson and Garner: An act regulating traffic; concerning inattentive driving; amending K.S.A. 1990

Supp. 8-2118 and repealing the existing section.

HB 2161, by Representatives McClure, Bryant, Campbell, Correll, Garner, Gatlin, Hamm, Jones, Krehbiel, Larkin, McKechnie, Minor, Mollenkamp, Rezac, Roe, Roper, Shore, Watson, Wempe, White and Wiard: An act concerning the state corporation commission; providing for exemption of certain electric public utilities from certain aspects of commission regulation.

HB 2162, by Committee on Education: An act concerning compulsory school attendance; relating to duties of boards of education upon noncompliance with the requirements of law; amending K.S.A.

1990 Supp. 72-1113 and repealing the existing section.

HB 2163, by Representatives Wagnon, Blumenthal, Fuller, Pottorff and Sebelius: An act concerning school districts; prohibiting the infliction of corporal punishment upon pupils.

HB 2164, by Representatives Smith, M., Adam, Allen, Amos, Baker, Bradford, Bryant, Campbell, Cates, Corbin, Cornfield, Crowell, Crumbaker, Empson, Ensminger, Everhart, Flottman, Flower, Freeman, Gatlin, Glasscock, Goossen, Graeber, Hamm, Harder, Jennison, King, Krehbiel, Larkin, Lloyd, Long, Lowther, McKechnie, Mead, Mollenkamp, Neufeld, Pottorff, Ramirez, Reinhardt, Rezac, Roe, Roy, Samuelson, Scott, Shore, Sluiter, Snowbarger, Sprague, Vancrum, Wagle, Wagnon, Weiland, Weimer, Wells and Welshimer: An act relating to the taxation of motor fuels; concerning certain exemptions; amending K.S.A. 79-3475 and K.S.A. 1990 Supp. 79-3408 and repealing the existing sections.

HB 2165, by Committee on Transportation: An act relating to railroads; concerning the obstructing of highways; penalties; amending K.S.A. 66-273 and 66-274 and repealing the existing sections.

HB 2166, by Representatives Harder, Krehbiel, O'Neal and Whiteman: An act concerning community colleges; authorizing boards of trustees to enter into lease agreements as lessors of property owned or controlled thereby; amending K.S.A. 1990 Supp. 71-201 and repealing the existing section.

HB 2167, by Representative Hensley: An act concerning longevity pay for state officers and employees; relating to certain employees in the unclassified service under the Kansas civil service act; amend-

ing K.S.A. 75-5541 and repealing the existing section.

HB 2168, by Committee on Public Health and Welfare: An act concerning the healing arts; relating to grounds and proceedings for discipline and for denial of licenses; amending K.S.A. 65-2842 and 65-2851a and K.S.A. 1990 Supp. 65-2809, 65-2836 and 65-2837 and repealing the existing sections; also repealing K.S.A. 65-2805.

HB 2169, by Committee on Elections: An act concerning elections; enacting the campaign expenditure limitation and funding act.

HB 2170, by Committee on Pensions, Investments and Benefits:

An act creating the Kansas public employee retirement study commission and providing for the powers, duties and functions thereof.

HB 2171, by Representatives Webb, Dean, Campbell, Crowell, Mead and Weimer: An act concerning wildlife; relating to hunting and fishing licensure requirements; amending K.S.A. 1990 Supp. 32-906, 32-919, 32-980 and 32-1001 and repealing the existing sections.

House Concurrent Resolutions

HCR 5003, by Committee on Federal and State Affairs: A proposition to amend article 2 of the constitution of the state of Kansas by adding a new section thereto, authorizing initiation and enactment of laws by the registered voters of the state.

HCR 5004, by Committee on Federal and State Affairs: A proposition to amend article 14 of the constitution of the state of Kansas by adding a new section thereto, relating to amendment of the constitution by propositions initiated by registered voters of the state.

HCR 5005, by Committee on Federal and State Affairs: A proposition to amend article 2 of the constitution of the state of Kansas by adding a new section thereto, authorizing the submission of legislative measures to the registered voters of this state for their approval or rejection.

HCR 5006, by Committee on Taxation: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas,

relating to the taxation of property.

HCR 5007, by Committee on Taxation: A proposition to amend section 1 of article 11 of the constitution of the state of Kansas,

relating to the taxation of property.

HCR 5008, by Committee on Public Health and Welfare: A concurrent resolution urging the United States Congress to enact legislation providing a comprehensive national health plan that would cover all Americans.

House Resolutions

HR 6013, by Representative Crumbaker: A resolution congratulating and commending the Yellow Freight System truck drivers domiciled in Goodland for passing four million consecutive accidentfree miles.

HR 6014, by Representative Cornfield: A resolution congratulating and commending Kristy Parker on being named a Rhodes Scholar

for the 1991-92 school year.

HR 6015, by Representative Hensley: A resolution congratulating and commending Barbara Dingman on being named the Kansas 1991 Outstanding Educator of Children with Behavior Disorders.

HR 6016, by Committee on Rules and Journal: A resolution adopting rules of the House of Representatives for the 1991-1992 biennium, relating to contests of elections of members to the House of Representatives.

HR 6017, by Representative Johnson et al.: A resolution in memory

of Joseph M. Mikesic.

Senate Bills

SB 97, by Committee on Elections: An act concerning elections; relating to recognition of political parties; amending K.S.A. 25-302a and repealing the existing section.

SB 98, by Committee on Elections: An act relating to elections; concerning the form and content of ballots; amending K.S.A. 25-601, 25-605, 25-615, 25-616, 25-617, 25-618, 25-620 and 25-621 and

repealing the existing sections.

SB 99, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1992, for the state board of tax appeals, department of revenue, Kansas lottery, Kansas racing commission, department of commerce, Kansas, Inc. and Kansas technology enterprise corporation; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 100, by Committee on Financial Institutions and Insurance: An act repealing K.S.A. 16a-3-308; concerning balloon payments under

the uniform consumer credit code.

SB 101, by Senators Frahm, Allen, Anderson, Bogina, Bond, Brady, Burke, Daniels, Doyen, Ehrlich, Feleciano, Harder, Kanan, Karr, D. Kerr, F. Kerr, Langworthy, Lee, Martin, McClure, Montgomery, Moran, Morris, Oleen, Parrish, Petty, Reilly, Rock, Salisbury, Sallee, Strick, Thiessen, Vidricksen, Walker, Winter and Yost: An act concerning education; authorizing agreements between school districts and institutions of postsecondary education for the purpose of encouraging enrollment by certain secondary pupils in courses of postsecondary education; amending K.S.A. 1990 Supp. 72-7033 and

repealing the existing section.

SB 102, by Committee on Judiciary: An act concerning civil procedure; relating to screening panels; compensation of members; amending K.S.A. 1990 Supp. 60-3508 and 65-4907 and repealing the existing sections.

SB 103, by Committee on Judiciary: An act concerning civil procedure and civil actions; regarding statute of limitations; product liability claims; amending K.S.A. 1990 Supp. 60-513 and repealing the existing section.

SB 104, by Committee on Judiciary: An act enacting the Kansas sunshine in litigation act; concerning the concealment of public

hazards.

SB 105, by Committee on Public Health and Welfare: An act providing for the registration of athletic trainers; granting certain powers to and imposing certain duties upon the secretary of health and environment; establishing the board of athletic trainers and providing for the functions thereof; declaring certain acts to be unlawful and providing penalties for violations.

SB 106, by Senators Salisbury, Frahm, D. Kerr, Lee, McClure, Moran, Oleen, Parrish, Petty, Reilly, Sallee, Walker and Winter: An act concerning the Kansas public employees retirement system; relating to retirement benefits of elected state officials as special members thereof; amending K.S.A. 1990 Supp. 74-4998b, 74-4998c and

74-4998d and repealing the existing sections.

SB 107, by Senators Harder, Allen, Anderson, Bogina, Bond, Brady, Burke, Daniels, Doyen, Ehrlich, Frahm, Kanan, Karr, D. Kerr, F. Kerr, Langworthy, Lee, Martin, Montgomery, Moran, Oleen, Parrish, Reilly, Rock, Salisbury, Sallee, Thiessen, Vidricksen, Winter and Yost: An act concerning the educational excellence grant program; relating to school district cooperative and interlocal cooperation agreements for development and maintenance of plans; amending K.S.A. 1990 Supp. 72-9902 and 72-9903, and repealing the

SB 108, by Committee on Education: An act concerning special education services for exceptional children; relating to the provision thereof for gifted children; amending K.S.A. 72-963, 72-966, 72-967, 72-970 and 72-972 and K.S.A. 1990 Supp. 72-978, and repealing the

existing sections.

SB 109, by Committee on Education: An act concerning teachers; relating to the costs of hearings provided upon notice of nonrenewal or termination of contracts of employment; amending K.S.A. 1990

Supp. 72-5440 and repealing the existing section.

SB 110, by Committee on Education: An act concerning school districts; relating to the financing thereof; establishing the school district ad valorem tax reduction fund; amending K.S.A. 1990 Supp. 72-7040, 72-7041, 72-7042, 72-7043, 72-7046a, 72-7055 and 72-7067, and repealing the existing sections; also repealing K.S.A. 1989 Supp. 72-7067, as amended by section 7 of chapter 350 of the 1990 Session

SB 111, by Committee on Financial Institutions and Insurance: An act relating to insurance; supervision, liquidation and rehabilitation; amending K.S.A. 1990 Supp. 40-222b and repealing the existing section; also repealing K.S.A. 40-3601.

SB 112, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal years ending June 30, 1991, June 30, 1992, June 30, 1993 and June 30, 1994, for certain capital improvement projects for the state board of agriculture, state fair board, department of wildlife and parks, Kansas state school for the visually handicapped, Kansas state school for the deaf, state historical society, department of corrections, Lansing correctional facility, Hutchinson correctional facility, Ellsworth correctional facility, Winfield correctional facility, Norton correctional facility, Topeka correctional facility, Kansas neurological institute, Larned state hospital, Osawatomie state hospital, Topeka state hospital, Winfield state hospital and training center and department of social and rehabilitation services; authorizing the initiation and completion of certain capital improvement projects; and directing or authorizing certain disbursements and acts incidental to the foregoing; amending section 4 of chapter 28 of the 1990 Session Laws of Kansas and repealing the existing section.

SB 113, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1992, for the state board of agriculture, Kansas animal health department, Kansas state grain inspection department, state fair board, Kansas wheat commission, state conservation commission, Kansas water office and the department of wildlife and parks; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

SB 114, by Committee on Governmental Organization: An act concerning the Kansas sunset law; continuing in existence the state corporation commission; amending K.S.A. 74-7251 and repealing the

existing section.

SB 115, by Committee on Financial Institutions and Insurance: An act concerning insurance; insurable interests; assignments to charitable, benevolent, educational and religious institutions.

SB 116, by Senator Walker: An act authorizing the board of county commissioners of Miami county to establish an airport authority.

SB 117, by Senators Montgomery, Allen, Anderson, Bogina, Brady, Ehrlich, Feleciano, Francisco, Hayden, Kanan, Lee, Martin, Oleen, Parrish, Petty, Rock, Sallee, Thiessen, Walker, Winter and Yost: An act enacting the Kansas postsecondary education security

SB 118, by Committee on Governmental Organization: An act concerning licensure of persons in active military service; amending K.S.A. 65-2201, 65-2202, 65-2203 and 65-2204 and repealing the ex-

isting sections.

SB 119, by Committee on Education: An act concerning community colleges; relating to the determination of out-district tuition and out-district state aid; amending K.S.A. 1990 Supp. 71-301 and 71-607, and repealing the existing sections.

SB 120, by Committee on Education: An act concerning community colleges; relating to determination of credit hour state aid; amending K.S.A. 1990 Supp. 71-602 and repealing the existing

SB 121, by Committee on Education: An act concerning school districts; relating to the composition of boards of education; amending K.S.A. 72-7901 and repealing the existing section.

SB 122, by Committee on Education: An act concerning school districts; relating to expenditures for which bids are required; providing for certain exemptions; amending K.S.A. 1990 Supp. 72-6760

and repealing the existing section. SB 123, by Committee on Judiciary: An act concerning crimes and punishments; relating to deceptive commercial practices; amending

K.S.A. 21-4403 and repealing the existing section.

SB 124, by Committee on Judiciary: An act concerning alcoholrelated offenses involving vehicles; relating to suspension and restriction of driving privileges; amending K.S.A. 1990 Supp. 8-1001 and 8-1014 and repealing the existing sections; also repealing K.S.A. 1990 Supp. 8-1015.

SB 125, by Committee on Judiciary: An act concerning alcohol-related offenses involving motor vehicles; amending K.S.A. 1990 Supp. 8-2,142, 8-1001, 8-1002, 8-1005, 8-1013, 8-1567 and 12-4305 and

repealing the existing sections.

SB 126, by Senator Kanan: An act concerning Wyandotte county; relating to the powers and duties of the board of county commissioners; relating to the powers and duties of the county board of park commissioners; amending K.S.A. 1990 Supp. 19-101a and 19-2855 and repealing the existing sections.

SB 127, by Committee on Assessment and Taxation: An act re-

lating to property taxation; exempting certain oil properties

therefrom.

SB 128, by Committee on Elections: An act relating to the Kansas public disclosure commission; concerning the membership thereof; amending K.S.A. 1990 Supp. 25-4119d and repealing the existing section.

SB 129, by Committee on Agriculture: An act concerning the grain inspection department; relating to the department's functions and fees; amending K.S.A. 1990 Supp. 34-101 and 34-103a and repealing the existing sections; also repealing K.S.A. 1990 Supp. 34-101e and 34-103b

SB 130, by Committee on Agriculture: An act concerning Kansas state university agricultural experiment stations; establishing the agricultural experiment stations capital improvements fund; providing for transfers of money thereto; prescribing the uses thereof.

SB 131, by Senators Francisco, Anderson, Morris and Yost: An act concerning crimes; relating to habitually giving a worthless check; amending K.S.A. 1990 Supp. 21-3708 and repealing the existing

SB 132, by Senators Francisco, Anderson, Daniels, Morris and Yost: An act concerning the uniform commercial code; relating to

consignment sales and rights of creditors; amending K.S.A. 84-2-326 and repealing the existing section.

SB 133, by Senators Francisco, Anderson, Daniels, Feleciano, Morris and Yost: An act concerning consumer protection; relating to telemarketing fraud.

SB 134, by Senators Francisco, Anderson, Daniels, Feliciano, Morris and Yost: An act concerning consumer protection; relating to

commercial advertising by recorded message.

SB 135, by Senators Francisco, Anderson, Daniels, Feleciano, Morris and Yost: An act concerning the criminal code; creating the organized criminal activity act.

SB 136, by Senators Francisco, Anderson, Daniels, Feleciano Morris and Yost: An act concerning odometer fraud; relating to inves-

tigations of violations.

SB 137, by Senators Francisco, Anderson, Daniels, Feleciano and Yost: An act concerning consumer protection; relating to overcharges

by persons who use automatic checkout systems.

SB 138, by Senator Vidricksen: An act concerning the state capitol; authorizing rental charges for use of space and facilities by certain for-profit entities; providing for the disposition of such charges; imposing duties on the secretary of administration.

SB 139, by Senator Vidricksen: An act concerning county law libraries; amending K.S.A. 1990 Supp. 20-3129 and repealing the

existing section.

SB 140, by Committee on Financial Institutions and Insurance: An act concerning the uniform consumer credit code; additional charges and penalties on certain real estate transactions; amending K.S.A. 16a-2-509, 16a-2-510 and 16a-3-202 and K.S.A. 1990 Supp. 16a-2-501

and repealing the existing sections.

SB 141, by Committee on Ways and Means: An act making and concerning appropriations for the fiscal year ending June 30, 1992, for the department of corrections, Topeka correctional facility, Hutchinson correctional facility, Lansing correctional facility, Ellsworth correctional facility, Winfield correctional facility and Norton correctional facility; authorizing certain transfers and fees, imposing certain restrictions and limitations and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing.

SB 142, by Senator Oleen: An act directing the secretary of state

to convey certain land to the city of Ogden, Kansas.

SB 143, by Committee on Education: An act concerning teachers; imposing a period of time requirement for the holding of hearings provided upon notice of nonrenewal or termination of contracts of employment; amending K.S.A. 72-5439 and K.S.A. 1990 Supp. 72-5438 and repealing the existing sections.

Senate Concurrent Resolutions

SCR 1614, by Committee on Governmental Organization: A concurrent resolution providing for a special committee to make a legislative study concerning certain state records and the advisability

of printing thereof on acid-free paper.

SCR 1615, by Joint Committee on Rules and Regulations: A concurrent resolution concerning reimbursement for the medicaid program; requesting modification of K.A.R. 30-5-81 and 30-5-88, as adopted by the secretary of the department of social and rehabilitation services and filed with the secretary of state on October 1, 1990.

Senate Resolutions

SR 1812, by Senator Allen et al.: A resolution commending the African-American History Month Founder's Commission.

SR 1813, by Senator Lee: A resolution requesting the Secretary of Transportation to install suitable signs on the state highway system at appropriate locations designating the City of Norton as the Home of International B.B. Gun Champions.

SR 1814, by Senator Lee: A resolution congratulating and commending the Northern Valley High School football team and Coach Chuck Fessenden for winning the 1990 Eight-Man Division I State Football Championship in Kansas.

Grain Inspection Department

Notice of Hearing on Proposed Administrative Regulations

The Kansas State Grain Inspection Department will conduct a public hearing regarding adoption of amended K.A.R. 25-4-1 as a permanent regulation at 10 a.m. Monday, March 18, in the conference room of the Kansas State Grain Inspection Department, Suite 800, 700 Jackson, Topeka. The permanent regulation, if adopted, will become effective 45 days after publication in the Kansas Register.

The department proposes to correct a clerical error detected by the Joint Committee on Rules and

Regulations.

All interested parties may submit written comments during the 30-day notice period prior to the hearing to the director, Kansas State Grain Inspection Department, P.O. Box 1918, Topeka 66601-1918. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulation during the hearing.

Copies of the full text of the regulation and economic impact statement may be obtained by contacting the director at the address above, (913) 296-3451.

T.D. Wilson Director

Doc. No. 010225

(Published in the Kansas Register February 14, 1991.)

Summary Notice of Bond Sale \$2,220,000

Unified School District 320 Pottawatomie County, Kansas (Wamego) General Obligation School Improvement Bonds

(general obligation bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale, dated as of January 28, 1991, of Unified School District 320, Pottawatomie County, Kansas (Wamego), sealed, written bids shall be received at the school district's offices at 510 E. Highway 24, Wamego, until 6 p.m. central time on Monday, February 25, 1991, for the purchase of the school district's General Obligation School Improvement Bonds, Series 1991, which are hereinafter described. All bids shall be publicly opened, read aloud and considered on said date and at said time and shall be immediately thereafter acted upon by the Board of Education of the school district.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount

of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for these bonds, which may be obtained from the clerk of the school district or from the school district's financial advisor. Bids may be submitted by mail or may be delivered in person, and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the school district, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$2,220,000. The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds will bear a dated date of March 1, 1991. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. The bonds shall be subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 1992, and the bonds shall mature serially on October 1 in each of the years and principal amounts

as follows:

Principal Amount		Maturity Date
\$ 5,000		1993
20,000	the grade of the second	1994
145,000		1995
155,000		1996
165,000		1997
175,000		1998
190,000		1999
205,000		2000
200,000		2001
220,000		2002
230,000	•	2003
245,000	and the second second	2004
265,000		2005

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the school district, and the full faith, credit and resources of the school district will be pledged to the payment thereof. The school district will be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the school district to the successful bidder, or at its direction, on or before Wednesday, April 10, 1991, at such location in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the school district. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The school district's assessed valuation for the year 1990 is as follows:

Assessed valuation of taxable tangible property	\$23,350,767
Taxable value of motor vehicles	4,614,221
Equalized assessed tangible valuation for computation	
of bonded debt limitations	\$27,964,988

Exclusive of the bonds described herein, on March 1, 1991, the school district's outstanding bonded indebtedness will be \$7,080,000.

Official Statement

The school district has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the school district or the school district's financial advisor. The preliminary official statement is in a form "deemed final" by the school district for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the school district shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Additional Information

For additional information regarding the school district, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the school district's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the school district's financial advisor by contacting Charles M. Boully, Kirchner Moore, a division of George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Unified School District 320
Pottawatomie County, Kansas (Wamego)
by Patricia DeWeese, Clerk
510 E. Highway 24, P.O. Box 26
Wamego, KS 66547
(913) 456-7643

Doc. No. 010217

(Published in the Kansas Register, February 14, 1991.)

Summary Notice of Bond Sale
Reno County, Kansas
\$124,890.06

General Obligation Bonds, Series 1991-1 (Sewer District No. 201)

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated February 6, 1991, and preliminary official statement dated February 14, 1991, sealed bids will be received by the county clerk of Reno County, Kansas, on behalf of the governing body at the County Courthouse, Hutchinson, KS 67501, until 10 a.m. C.S.T. on February 27, 1991, for the purchase of \$124,890.06 principal amount of General Obligation Bonds, Series 1991-1 (Sewer District No. 201). No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$1,000 or any integral multiple thereof, except one bond in the denomination of \$1,890.06. The bonds will be dated March 1, 1991, and will become due serially on November 1 in the years as follows:

		Principal
Year		Amount
1992		\$1,890.06
1993	,	3,000.00
1994		3,000.00
1995	· ·	4,000.00
1996	.W1	4,000.00
1997	. '	4,000.00
1998	N.	5,000.00
1999		5,000.00
2000	*	5,000.00
2001	and the same	6,000.00
2002		6,000.00
2003		7,000.00
2004	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	7,000.00
2005		7,000.00
2006		8,000.00
2007		9,000.00
2008	, S	9,000.00
2009		10,000.00
2010	Company of the compan	10,000.00
2011		11,000.00

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1992.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$2,497.80 (2 percent of the principal amount of the bonds).

Delivery

The county will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before March 28, 1991, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1990 is \$340,824,909. The total general obligation indebtedness of the county as of the date of the bonds, including the bonds being sold, is \$4,423,890.06.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Stinson, Mag & Fizzell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the county, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Jerry M. Franklin, County Clerk, County Courthouse, Hutchinson, KS 67501, (316) 665-2931.

Dated February 6, 1991.

Jerry M. Franklin Reno County Clerk

Doc. No. 010227

(Published in the Kansas Register, February 14, 1991.)

Summary Notice of Bond Sale Sedgwick County, Kansas General Obligation Bonds, Series A, 1991 \$6,650,000

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and official statement dated February 6, 1991, sealed bids will be received by the accounting manager of Sedgwick County, Kansas, on behalf of the Board of County Commissioners at the County Courthouse, Suite 333, 525 N. Main, Wichita, KS 67203, until 9:30 a.m. C.S.T. on Wednesday, February 27, 1991, for the purchase of \$6,650,000 principal amount of General Obligation Bonds, Series A, 1991. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated March 1, 1991, and will become due serially on August 1 in the years as follows:

Year				Amount
1992		*		\$ 50,000
1993	,		•	300,000
1994			٠.	325,000
1995		`		350,000

Principal

	1996		375,000
	1997		400,000
	1998		425,000
	1999		450,000
	2000	7 V .	475,000
	2001		500,000
•	2002		525,000
	2003	* *	575,000
	2004		600,000
	2005		625,000
	2006		 675,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning on February 1, 1992.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$133,000 (2 percent of the principal amount of the bonds).

Delivery

The county will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before March 15, 1991, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1990 is \$2,231,457,367. The total general obligation indebtedness of the county as of the date of the bonds (including the bonds being sold, but excluding temporary notes in the principal amount of \$7,000,000 to be retired out of the proceeds of the bonds and other funds) is \$67,298,000.

Legal Opinion

The bonds will be sold subject to the approving legal opinion of Stinson, Mag & Fizzell, Wichita, Kansas, bond counsel, which opinion will be furnished and paid for by the county and will be printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Terry L. Coltrain, accounting manager, or Richard J. Hesse, cash/debt management coordinator, Sedgwick County Courthouse, Suite 333, 525 N. Main, Wichita, KS 67203, (316) 383-7591.

Dated February 6, 1991.

Sedgwick County, Kansas

Office of Judicial Administration **Supreme Court Docket**

(Note: Dates and times of arguments are subject to change.) Monday, February 25, 1991

9:30 a.m.

.,		9:30 a.m.	But the state of the second	
Case No.	Case Name	Attorney	Count	y .
64,373	John R. Kennon, Appellant,	Jessica R. Kunen, Chief Appellate Defen	Sedgwick der	
	v. Mike Hill, Sheriff of Sedgwick County Appellee.		On Petition for Review	
64,285	Allied Mutual Insurance Company,		Sedgwick On Petition for Review	` .
	Kevin S. Gordon, Robert L. Harding, State Farm Mutual Automobile Insurance Company, et al., Appellants	Gerald W. Scott . Michael R. O'Neal		4 · ·
64,729	Dale B.Shade, dba Shade Construction Company, et al., Appellants,	Glenn R. Braun	Russell	
	Wheatcraft Industries, Inc., et al., Appellees.	Dennis R. Davidson Jerry E. Driscoll Larry D. Ehrlich	On Petition for Review	
64,511	Iona Ruth Gilger, et al., Appellants	Larry E.Gregg	Finney On Petition for Review	. 1
	Lee Construction, Inc., et al., Appellee	David A. Lips John D. Osborn Steve R. Fabert		
		1:30 p.m.		
65,083	Kansas State Bank & Trust Company, Conservator and Next Friend of Holly Reimer, a Minor Child, Appellee, v. Specialized Transportation Services, In	The second of the second of the second	Sedgwick	
65,552	et al., Appellants.	Joseph Seiwert	Sedgwick	
03,332	John L. Vakas, Appellant, v. The Kansas State Board of Healing	Lawrence T. Buening, J.		
	Arts, Appellee.	Lawrence 1. Daeimig, j.		
64,464	State of Kansas, Appellee,	Robert T. Stephan, Atto Debra Byrd Wagner, As Attorney		
	Douglas L. Heronemus, Appellant.	Jessica R. Kunen, Chief Appellate Defen	ider	
	Tuesday	, February 26, 1991		٠.
		9:30 a.m.		
Case No.	Case Name	Attorney	Count	y
64,871	Jon D. Brunett, et al., Appellants, v.	Kenneth M. Carpenter	Sedgwick	
	Merle D. Albrecht, et al., Appellees.	Michael D. Hepperly	(contin	ue

96	Kans	as RegisterSı	preme Court Docke
65,191	Karen Sue Powell, Appellant,	Craig A. Shultz	Sedgwick
	v. Vicky Neth, et al., Appellees.	Arthur S. Chalmers	i Alifa Hambi da Alifa king jiya bilanca
65,460	Mark Twain Kansas City Bank, Appellant,	Joel K. Goldman	Johnson
ر داراد ه	v. Daniel J. Cates, et al., Appellees.	Curtis L. Tideman	and the second s
65,486	Maurice J. Behnke, Appellant,	David J. Waxse	Johnson
	v. Reserve Life Insurance Company, Appellee.	Dana M. Harris	e en
	1	30 p.m.	
65,283	Dr. Adego E. Eferakeya, Appellant,	James F. McMahon	Wyandotte
	v. Twin City State Bank, Appellee.	Michael E. Francis	Same of the second
65,279	William D. Carson and Norma I. Carson, Appellants,	Charles D. Green	Riley
**************************************	J. M. Davidson and Danny Martin, Appellees.	Dan Myers David Clark	A CONTRACTOR
Case No.	* * * * * * * * * * * * * * * * * * *	February 27, 1991 9:30 a.m.	County
61,958	State of Kansas, Appellee,	Robert T. Stephen, Attorney Ger Kyle G. Smith, Assistant Attorney General	neral Cherokee
	Stephen D. Reed, Appellant.	Jessica R. Kunen, Chief Appellate Defender	
65,445	Lansing-Delaware Water District, Appellee,	Jeffrey L. Baxter	Leavenworth
	Oak Lane Park, Inc., et al., Appellants.	Robert D. Beall	
65,237	Farm Bureau Mutual Insurance Company, Appellant,	Richmond M. Enochs	Leavenworth
	v. Old Hickory Casualty Insurance Company, Appellee.	Joseph R. Ebbert	
64,716	State of Kansas, Appellee,	Robert T. Stephan, Attorney Ger Frank Kohl, County Attorney	neral Leavenworth
	Johnny Wiggins, Appellant.	Jessica R. Kunen, Chief Appellate Defender	
Springer of the	on a single of the second second of the second	20 p.m. 1	
		30 p.m.	

Luther, Jr., Appellees, v.

Loring L. Nelson and Rosemary Nelson, Henry O. Boaten Appellants.

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whenter	Court Docket Kansas	s Register	197
65,303	Plummer Development, Inc., Appellant,	William L. Fry	Butler
	V. Prairie State Bank, Appellee.	Michael G. Coash	
pt1) 40%	Thursday, I	February 28, 1991	
	9:	30 a.m.	`.
Case No.	Case Name	Attorney	County
65,423	Thomas Robert Vargas, et al., Appellants,	Rex A. Sharp Richard R. Yoxali	Seward
	Nautilus Insurance Company, et al., Appellees.	William B. Bolin B. G. Larson	
-		David J. Morgan Lee Baty	
44.55		William J. Gotfredson	
65,726	Dekalb Swine Breeders, Inc., Appellant,	Steve Brooks	Meade
5 (). 	The Woolwine Supply Company, et al., Appellees.	Michael A. Doll James H. Morain	
65,539	David Brabander, Appellant,	M. John Carpenter	Barton
	Western Cooperative Electric, Appellee.	Edward D. Heath, Jr.	
65,670	Riverside Hospital, Inc., Appellee,	Patricia M. Dengler	Shawnee
	State Department of Social and Rehabilitation Services, Appellant.	Barbara J. Miller	
	1:	30 p.m.	
65,203	Highland Park Bank & Trust Company, Appellee,	James S. Willard Edward L. Bailey	Shawnee
	John E. Wilkinson, et al., Appellants.	John Ercy Wilkinson	
	Friday, 1	March 1, 1991	
	9:	30 a.m.	
Case No.	Case Name	Attorney	County
65,035	State of Kansas, Appellee,	Robert T. Stephan, Attorney General Gene M. Olander, District Attorney	Shawnee
	v. Mark A. Hupp, Appellant.	Jessica R. Kunen, Chief Appellate Defender	
65,607	In Re Arlan Kaufman, Ph.D.,	Thomas D. Haney	Shawnee
	Appellant.	Robert R. Hiller, Jr.	
65,934	In the Matter of Sue Carpenter, Respondent.	Bruce E. Miller, Disciplinary Administrator	Original
	respondent.	Sue Carpenter, pro se	1.34

66,027

In the Matter of Brad L. Keil,

Respondent.

Bar Docket No.

100087

In Re Steven R. Zieber, Show Cause

Bruce E. Miller, Disciplinary Administrator Original

Brad L. Keil, pro se Robert A. Schartz

Steven R. Zieber, pro se

Lewis C. Carter Clerk of the Appellate Courts

Doc. No. 010219

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the following three packages of projects. Responses must be received by February 28 for any or all projects for which the consultant engineering firm wishes to be considered. Seven signed copies of responses need to be mailed to Al Cathcart, P.E., Project Control Engineer, Office of Engineering Support, K.D.O.T., 7th Floor, Docking State Office Building, Topeka 66612.

All projects will require surveys to be completed by the consulting engineering firm. Items such as traffic control signing, seeding and erosion control, pavement marking, lighting, right of way procurement activities, geology, permit development, utility and railroad agreement efforts may require consultant firm involvement. Information on these as well as other activities that will be performed by either K.D.O.T. or the consultant will be established and furnished to the consulting engineering firms who are short listed by the K.D.O.T. selection committee prior to interview by the K.D.O.T. negotiating committee.

Package #1

Rush—96-83 K-4352-01 (FY 95)—Rehabilitate roadway from the end of the four lane section in Rush Center east to the Rush/Barton county line, a length of 15 miles. Rehabilitation includes cold milling, hot recycling, shoulder widening, adding acceleration/deceleration lanes at major crossroads, widening and guard fence on bridge 040, and replacement of bridges 037, 038, and 039 in the Walnut Creek basin. Estimated cost is \$13.8 million.

Package #2

Jefferson—2-44 K-437-01 (FY 95)—Reconstruct K-92 from 2.1 miles east of FAS-328 east to the curb and gutter section in Oskaloosa, a length of 4.3 miles. Reconstruction is based on a 40-foot roadway with 8-foot shoulders, extension of culverts, and addition of acceleration/deceleration lanes at major crossroads. Bridge 027 over Big Slough Creek is to be replaced. Estimated cost is \$8.2 million.

Package #3

Montgomery—160-63 K-3316-01 (FY 95)—Montgomery-160-63 K-4372-01 (FY 95) and Labette-169-50 K-4353-01 (FY 95)-These projects are for roadway reconstruction from the south junction of U.S. 160/U.S. 169 north on U.S. 169 to the Labette/Neosho county line, a distance of approximately 12.5 miles. The reconstruction is based on a 44-foot roadway with 10foot paved shoulders. From the south junction of U.S. 160/U.S. 169 to the north junction of U.S. 160/U.S.169 the authorization allows for reconstruction of an offset alignment if necessary. A Cherryvale bypass also is to be studied and considered. Acceleration/deceleration lanes at major crossroads are to be included as warrented. Culverts are to be extended as required. Guard fence is to be updated. Replace bridges, 027, 028, 039 and add four new bridges as required to complete the project. Signing also is to be included in the project. Total cost for these three projects is approximately \$22 million.

Firms expressing interest in these projects must respond in writing and complete the Consulting Engineers Qualification Questionnaire (if not already prequalified) by February 28.

It is the policy of K.D.O.T. to use the following criteria as the basis for selection of engineering consulting firms:

- 1. Size and professional qualification of firm.
- 2. Experience of staff.
- 3. Location of firm with respect to proposed project.
- 4. Work load of firm.
- 5. Firm's performance record.

Arland Hicks Acting Secretary of Transportation

Department of Health and Environment

Permanent Administrative Regulations

Article 53.—CHARITABLE HEALTH CARE

28-53-1. Definitions. (a) "Agreement" means a written understanding between the department and a charitable health care provider regarding the rendering of professional services to medically indigent persons.

(b) "Department" means the Kansas department of

health and environment.

- (c) "Federally qualified health center" means a center which meets the requirements for federal funding under 42 USC section 1396d(1) of the public health service act, and which has been designated as a "federally qualified health center" by the federal government.
- (d) "Indigent health care clinic" means an outpatient medical care clinic designed to provide care to the medically indigent under the medical direction of a qualified physician licensed by the Kansas board of healing arts.

(e) "Local health department" means county, city-county and multi-county public health units estab-

lished under the authority of K.S.A. 65-201.

- (f) "Secretary" means the secretary of the Kansas department of health and environment. (Authorized by and implementing L. 1990, Ch. 329, sec. 1; effective April 1, 1991.)
- **28-53-2.** Agreement. (a) Each person applying for an agreement shall submit a completed application to the department on forms prescribed by the secretary.

(b) Each applicant for renewal of an agreement shall submit a completed application annually to the department on forms prescribed by the secretary.

- (c) An agreement may be terminated by the secretary or the charitable provider with 30 days advanced written notice to the department. Failure of the provider to maintain proper licensure by the appropriate professional licensing agency shall constitute immediate cancellation of the agreement. (Authorized by and implementing L. 1990, Ch. 329, sec. 1; effective April 1, 1991.)
- **28-53-3.** Eligibility criteria for medically indigent. Persons shall qualify as medically indigent if they are:
- (a) determined to be a member of a family unit earning at or below 200% of poverty income guidelines based on the annual update of "poverty income guidelines" published in the federal register by the United States department of health and human services;

(b) not indemnified against costs arising from medical and hospital care by a policy of accident and sickness insurance, an employee health benefits plan, a program administered by the state or federal govern-

ment, or any such coverage; and

(c) seek health care at:

(1) an indigent health care clinic;

(2) a federally qualified health center; or

(3) a participating local health department. (Authorized by and implementing L. 1990, Ch. 329,

sec. 1; effective April 1, 1991.)

28.53.4. Records and Reports. (a) Charitable

28-53-4. Records and Reports. (a) Charitable health care providers shall ensure that the clinics through which they provide care shall:

(1) maintain completed forms prescribed by the secretary and signed by the patient which certify that the individual receiving care pursuant to an agreement is medically indigent; and

(2) submit completed quarterly activity reports to the

department on forms prescribed by the secretary.

(b) Failure to comply with the requirements of this section shall be grounds for cancellation of the agreement. (Authorized by and implementing L. 1990, Ch. 329, sec. 1; effective April 1, 1991.)

28-53-5. Referrals. Medically indigent persons may receive professional services from health care providers in other locations upon referral from a federally qualified health center, an indigent health care clinic, or a participating local health department. Any such referrals shall be reflected in the records of the referring entity. (Authorized by and implementing L. 1990, Ch. 329, sec. 1; effective April 1, 1991.)

Stanley C. Grant Acting Secretary of Health and Environment

Doc. No. 010220

State of Kansas

The Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

Incentive. (a) In addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery shall also offer the "KENO Dream Month Drawing" retailer incentive promotion. It will be held in conjunction with the Kansas Lottery's "KENO Dream Month Drawing" (K.A.R. 111-7-55 through 111-7-63) as follows:

(b) All 28 non-winning tickets drawn during the "KENO Dream Month Drawing" will be placed into the drum after the final drawing on February 28, 1991. One ticket will be drawn from the 28 non-winning tickets selected during the Keno Dream Month Drawing pursuant to K.A.R. 111-7-55 et seq. and K.A.R. 111-6-1. The retailer who sold the non-winning ticket selected shall win the grand prize consisting of a four-day vacation provided by WDAF-AM of Kansas City, MO, at Club Med on Paradise Island in the Caribbean.

(c) In addition, each retailer who sold any of the 28 tickets drawn shall receive a \$100 bonus from the Lottery. (Authorized and implementing K.S.A. 1989 Supp. 74-8710(h); effective T-111-2-1-91, Jan. 18, 1991.)

Article 4.—INDIVIDUAL GAME RULES **RULES FOR INSTANT GAME NO. 30** "JACKPOT"

111-4-245. Name of Game. The Kansas lottery shall conduct an instant winner lottery game entitled "Jackpot" commencing on February 21, 1991. The specific rules for the "Jackpot" instant game are contained in K.A.R. 111-3-1 et seq. and 111-4-245 through 111-4-248. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-2-1-91, Jan. 18, 1991.)

111-4-246. Definitions (Instant Tickets). The following definitions shall apply to the "Jackpot" instant

lottery game:
(a) "Game Symbols" are the numbers, letters, symbols or pictures printed in the play area of each instant game ticket which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 pt. Archer. A game symbol appears in each of the nine play spots within the game area. Each game symbol in the play area for this instant game is a drawing of one of the following: a gold bar, a pot of gold, a bell, a star, a melon, and a bunch of cherries.

(b) "Game symbol captions" are the words, portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
cherries	CHER
melon	MELON
bell	BELL
gold bar	BAR
star	STAR
pot of gold	GOLD

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears on the front of each instant ticket and will be

covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom right portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: AA = free ticket; QQ = 2 free tickets; DD = \$2.00; JJ = \$4.00; MM = \$7.00; PP = \$9.00; LL = \$14.00; SS =

\$21.00. (Authorized by and implementing K.S.A. 1989) Supp. 74-8710; effective, T-111-2-1-91, Jan. 18, 1991.)

111-4-247. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the nine game symbols and captions. Prizes a player may win are as follows:

Get	Win
3—Cherries	FREE TICKET
3—Cherries (twice)	2 FREE TICKETS
3—Melons	\$ 2.00
3—Melons (twice)	\$ 4.00
3—Bells	\$ 7.00
3—Bells and 3—Melons	\$ 9.00
3—Bells (twice)	\$ 14.00
3—Bars	\$ 21.00
3—Stars	\$ 40.00
3—Gold	\$400.00

Each ticket will feature a play style of three (3) symbols in a row. Each ticket will contain three (3) games identified as Game 1, Game 2 and Game 3. If a player matches 3 like symbols in any horizontal row, the player wins the prize associated with that symbol. Symbols in one "game" relate to that "game" only and not to either of the other two "games." A player can win more than once on a single ticket but not more than twice. (Authorized by K.S.A. 1989 Supp. 74-8710(b)&(c); implementing K.S.A. 1989 Supp. 74-8710(b)&(c) and 74-8720; effective, T-111-2-1-91, Jan. 18,

111-4-248. Number and Value of Instant Prizes. (a) There will be approximately 3,600,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	288,000	\$ -0-
2 FREE (F+F)	36,000	-0-
\$ 2.00	312,000	624,000
4.00(2+2)	60,000	240,000
7.00	12,000	84,000
9.00(2+7)	12,000	108,000
14.00(7+7)	12,000	168,000
21.00	12,000	252,000
40.00	2,160	86,400
400.00	` <u>180</u>	<u>72,000</u>
and the second	746,340	<u>\$1,634,400</u>

- (b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.
- (c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1989 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f); and 74-8720; effective, T-111-2-1-91, Jan. 18, 1991.)

Article 7.—CASH LOTTO GAME RULES KENO DREAM MONTH DRAWINGS

111-7-55. Name of Drawing. The Kansas lottery shall conduct a series of cash drawings entitled "KENO Dream Month Drawings." The drawings will commence on Friday, February 1, 1991, and end on Thursday, February 28, 1991. Drawings shall be held daily, Monday through Friday, at 2:00 p.m. at lottery head-quarters. The specific rules for "KENO Dream Month Drawings" are contained in K.A.R. 111-7-55 through 111-7-63, and K.A.R. 111-6-1 et seq. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710, effective, T-111-2-1-91, Jan. 18, 1991.)

111-7-56. Method of Entry. Entry into the "KENO Dream Month Drawing," is accomplished by the following steps:

(a) Obtain a valid Kansas KENO game lottery ticket

purchased on or after January 16, 1991;

(b) Determine if the ticket is a winning ticket in accordance with KENO game rules. If the ticket is a winning ticket, it is not eligible for the "KENO Dream Month Drawing" and shall be redeemed in accordance with the appropriate game rules;

(c) If the ticket is a non-winning ticket, the ticket is eligible for winning the drawing, and the holder of the ticket may enter the "KENO Dream Month Drawing." If the ticket is a multi-draw ticket containing a non-winning set of numbers for any drawing on the ticket, the ticket is valid for the "KENO Dream Month Drawing" only;

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket

in a legible manner;

(e) Place the ticket(s) into an envelope and mail them to: KENO Dream Month, Kansas lottery; 128 N. Kansas Ave., Topeka, KS 66603, or tickets may be deposited in a collection box located in the Topeka regional office located at the same address.

(f) There is no limit on the number of entries a per-

son may make.

- (g) Any non-winning valid KENO game lottery tickets received at lottery headquarters after 1:00 p.m., February 28, 1991 will not be eligible for entry into the "KENO Dream Month Drawing." (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-2-1-91, Jan. 18, 1991.)
- **111-7-57.** Certification of Daily "KENO Dream Month Drawing." (a) All drawings except as provided in K.A.R. 111-6-1, et seq., shall be personally observed by a member of the Kansas lottery division of security designated by the executive director and by an auditor.

(b) The executive director or the senior lottery official present shall designate a lottery staff person to serve as an auditor to perform the necessary services.

(c) Upon completion of the drawing, the designated Kansas lottery security person and the auditor shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize

winner. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710(b); effective, T-111-2-1-91, Jan. 18, 1991.)

111-7-58. Selection of KENO Dream Month Winners. The following process shall be used for the selection of winners in the daily "KENO Dream Month Drawing":

(a) Kansas lottery mail room personnel shall pick up all mail containing "KENO Dream Month Drawing" envelopes at the Topeka United State Post Office on

a daily basis.

- (b) The mail room personnel shall transport the mail to the mail room where the envelopes will be opened and the tickets placed in a receptacle to be held until taken by lottery security personnel and deposited in the drum on a daily basis prior to 2:00 p.m. lottery security will transfer tickets from the receptacle located in the Topeka regional office to the warehouse before 2:00 p.m. Monday through Friday for the daily 2:00 p.m. drawing. Following each deposit of tickets in the drum, the security person making the deposit shall reseal the drum.
- (c) The selection process shall be held at 2 p.m. daily, Monday through Friday. The first drawing will be held on Friday February 1, 1991, and the last on the Thursday February 28, 1991. All drawings shall be held in a place accessible to the public and be open for public attendance and with lottery security personnel present. All drawings shall be audio and videotaped.

(d) Drawings for the previous Saturday and Sunday

will be held on the following Monday.

(e) Prior to the drawing the drum shall be sealed and the contents mixed by rotating the drum ten (10) times.

(f) The designated individual shall then unseal the drum, and using the bare-arm technique, remove one

(1) "KENO" ticket from the drum.

(g) The designated Kansas lottery security official shall review the ticket to determine if it is eligible for the "KENO Dream Month Draw" in accordance with this regulation.

(h) If the ticket is determined to be ineligible, the ticket removed shall be discarded, the drum resealed, and another ticket removed. This procedure will be repeated until a valid selection is obtained from the drum.

(i) The person whose name appears on the back of the ticket drawn shall win \$1,000, subject to validation

by the lottery as set forth in these rules.

(j) All "KENO Dream Month Drawing" tickets remained in the drum on February 28, 1991, after all valid winners have been selected shall be destroyed. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710(b); effective, T-111-2-1-91, Jan. 18, 1991.)

111-7-59. Winner Validation. The following validation requirements shall apply to the "KENO Dream Month Drawing";

(a) Each "KENO Dream Month Drawing" envelope must contain valid non-winning Kansas KENO game lottery tickets;

(b) The information form on the back of the ticket

must be filled out in a legible manner.

(c) Each ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part;

(d) Each ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tamp-

ered with in any way;

(e) Each ticket must not be blank or partially blank, misregistered, defective, or printed or produced in

(f) Each ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(g) Each ticket must be fully legible, and be exactly

as described in paragraph (d) above.

(h) The ticket validation number of the tickets shall not appear on the Kansas lottery's official list of ticket validation numbers of winning tickets.

(i) Any ticket not passing all the validation checks in this section is void and is not eligible for the "KENO

Dream Month Drawing.'

(Authorized by and implementing K.S.A. 1989 Supp. 74-8710(b); effective, T-111-2-1-91, Jan. 18, 1991.)

111-7-60. Security of Equipment. The drum shall be stored in a locked secure area at all times when not in use. Keys to the secure area shall be under the exclusive control of the Kansas lottery division of security. Prior to use, the drum shall be inspected by an auditor and by the Kansas lottery division of security to ensure it has not been tampered with and is in good working order. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710(b)&(d); effective, T-111-21-91, Jan. 18, 1991.)

111-7-61. Rights of Participants. Any non-winning Kansas KENO game lottery ticket entered into the "KENO Dream Month Drawing" is disqualified from any other Kansas lottery prize or eligibility that ticket may have been redeemable for. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710(d); effective, T-111-2-1-91, Jan. 18, 1991.)

111-7-62. Awarding of Prizes. The executive director or his designee shall award the designated prize to the appropriate person as soon as it is determined that all laws, regulations, and rules have been adhered to. (Authorized by and implementing K.S.A. 1989 Supp. 8710(c), and 74-8720(b); effective, T-111-2-1-91, Jan. 18, 1991.)

111-7-63. Invalidation of Tickets. No KENO ticket remains valid for this drawing after the drawing on February 28, 1991. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710(c) and (i); effective, T-111-2-1-91, Jan. 18, 1991.)

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Gerald F. Simpson **Executive Director**

Doc. No. 010221

State of Kansas

Secretary of State

I, Bill Graves, Secretary of State of the State of Kansas. do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

> Bill Graves Secretary of State

(Published in the Kansas Register, February 14, 1991.)

SENATE BILL No. 37

An ACT making and concerning appropriations for the fiscal year ending June 30, 1991, for the attorney general; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

Be it enacted by the Legislature of the State of Kansas:

Section 1. For the fiscal year ending June 30, 1991, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund the following:

Additional operating expenditures for investigation and litigation regarding interstate water rights

\$2,450,000 Operating expenditures 900,000

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register, February 14, 1991.)

SENATE BILL No. 36

An ACT concerning the department of corrections; relating to certain capital improvement projects and financing therefor, making appropriations for such purposes for the fiscal year ending June 30, 1991, amending K.S.A. 75-52,130 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. For the fiscal year ending June 30, 1991, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

DEPARTMENT OF CORRECTIONS

- The amount authorized by section 3(c) of chapter 6 of the 1990 Session Laws of Kansas to be expended for the capital improvement projects to plan, acquire, construct and equip a new operationally efficient state correctional facility and a mental health facility or facilities is hereby increased from \$68,800,000 to \$74,714,175.
- (b) There is appropriated for the above agency from the correctional institutions building fund for the capital improvement project specified as follows:
- Larned correctional mental health facility construction..... (c) There is appropriated for the above agency from the state general fund the following:
- Maximum security facility—operating expenditures \$2,453,024
- (d) The position limitation established by section 33(j) of chapter 29 of the 1990 Session Laws of Kansas for the department of corrections is hereby increased from 588.3 to 786.3.

Sec. 3.

HUTCHINSON CORRECTIONAL FACILITY

(a) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 1991, by section 31 of chapter 23 of the 1990 Session Laws of Kansas from the correctional institutions building fund in the replace locking systems in A, B and C cellhouses account, the sum of \$600,000 is hereby lapsed.

Sec. 4. K.S.A. 75-52,130 is hereby amended to read as follows: 75-52,130. (a) To provide for any amounts required to be paid for all or part of the cost of the capital improvement projects for a new correctional facility and a mental health facility or facilities authorized by this act and expenses related thereto, the pooled money investment board is authorized and directed to loan to the secretary of corrections sufficient funds therefor in amounts which in the aggregate do not exceed \$25,000,000 \$26,850,000. All such amounts of such loan shall be credited to the new correctional facility and mental health facility or facilities—construction fund which is hereby created in the state treasury. The pooled money investment board is authorized and directed to use any moneys in the active accounts, inactive accounts or time deposits, open accounts, of the state of Kansas to provide the funds for such loan.

(b) Such loan shall bear interest from the date of the loan transfer or transfers under this section at an annual rate of interest which shall be at a rate equal to the rate prescribed by K.S.A. 75-4210, and amendments thereto, for inactive accounts of the state effective on January 1 of such year. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas.

(c) The secretary of corrections may periodically certify to the pooled money investment board amounts to be transferred pursuant to this subsection. Upon certification to the pooled money investment board by the secretary of corrections of the amounts of the loan authorized by subsection (a), the pooled money investment board shall transfer amounts certified by the secretary of corrections from the state bank accounts described in subsection (a) to the new correctional facility and mental health facility or facilities-construction fund which in the aggregate do not exceed the amount specified in subsection (a).

(d) Subject to the limitations of this section, the secretary of corrections shall determine and certify to the pooled money investment board, on or before the date of the first certification pursuant to subsection (c), the terms and conditions of repayment of the principal and interest of such loan amounts. Commencing in calendar year 1990, the principal and interest of such loan amounts shall be repaid in payments payable at least annually for a period of not more than 25 years. The repayment amounts shall be recomputed each year to reflect the interest rate prescribed and shall be calculated each year on a substantially level payment basis based on a total original amortization period of 25 years.

(e) The amount of the loan authorized under this section is subject to reduction by act of the logislature prior to February

1, 1990.

K.S.A. 75-52,130 is hereby repealed.

This act shall take effect and be in force from and after Sec. 6. its publication in the Kansas register.

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